

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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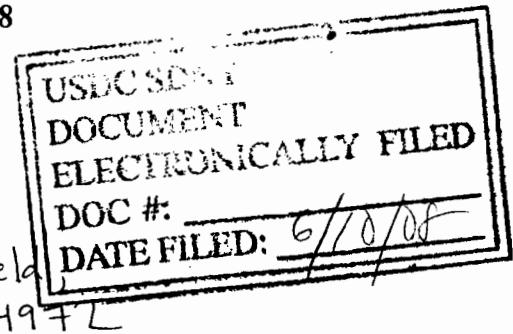
In Re: Methyl Tertiary Butyl Ether
("MTBE") Products Liability Litigation

Master File No. 1:00-1898
MDL No. 1358 (SAS)
M21-88

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This Document Relates To:

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Sacramento Groundwater Authority, plaintiff in
People of State of California v. Atlantic Richfield
----- X 04 Civ. 4972



ORDER OF DISMISSAL WITHOUT PREJUDICE

The Court hereby dismisses without prejudice the "threatened well" claims of Sacramento Groundwater Authority, with each party bearing its own costs. Such dismissal is granted on the condition that Plaintiff will not assert claims against any Defendant unless and until any one of the following conditions occurs:

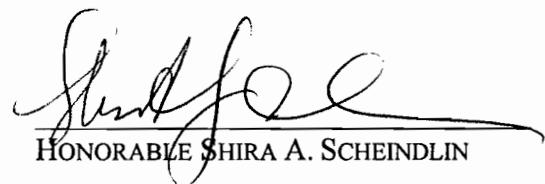
In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation

Doc. 1881

- (1) MTBE or TBA is detected for the first time in any well(s) in the Sacramento region's North Area Groundwater Basin; or
- (2) a federal or state agency issues to Plaintiff and/or any water purveyor in the Basin an order, judgment or directive requiring it to cease or limit access to the North Area Groundwater Basin due to the detection of MTBE or TBA in well(s) in the Basin; or
- (3) a federal or state agency issues to Plaintiff and/or any purveyor in the Basin an order, judgment or directive requiring it to remediate, cleanup or otherwise abate any detection of MTBE or TBA; or
- (4) any change(s) in the statutory or regulatory laws affecting Plaintiff's potential ability to seek to recover damages from any Defendant for actual or imminently threatened contamination to groundwater from MTBE and/or TBA; or
- (5) any new detections on or after May 6, 2008 of MTBE and/or TBA in any well in the Sacramento region's North Area Groundwater Basin indicating that wells in the area are imminently threatened by MTBE and/or TBA. In the event that these

detections occur, the Plaintiff must also have a report dated after May 6, 2008 from a qualified engineer, hydrogeologist, or other environmental consultant advising the Plaintiff that, in light of the new detections, specific well(s) are imminently threatened by MTBE and/or TBA.

ENTERED this 10 day of June, 2008



HONORABLE SHIRA A. SCHEINDLIN